

UNITED STATES DISTRICT COURT

DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	
v.)	CRIMINAL NO. 04-10306-PBS
)	
TREVOR CHARLTON)	

DEFENDANT'S MOTION IN LIMINE TO EXCLUDE
USE OF THE TERMS "FELON" OR "FELONY"

Defendant hereby respectfully moves that the Court order that the terms "felon" or "felony" not be used during the course of defendant's trial. (The Court may recall granting a similar request by defendant during a previous felon-in-possession case).

As grounds for this motion, the statute with which defendant is charged, 18 U.S.C. § 922(g)(1), does not use the terms "felon" or "felony," but rather employs the phrase "crime punishable by imprisonment for a term exceeding one year." The use of the

terms "felon" and "felony" causes obvious and substantial undue prejudice.

TREVOR CHARLTON
By his attorneys,

/s/ J. Martin Richey
J. Martin Richey
B.B.O. # 559902

/s/ Catherine K. Byrne
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Certificate of Service

I, J. Martin Richey, hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on February 27, 2006.

/s/ J. Martin Richey
J. Martin Richey